



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hiroko SHIKINAMI et al.

Group Art Unit: 3611

Application No.: 09/869,883

Examiner: P. Royal

Filed: August 17, 2001

Docket No.: 110071

For: VEHICLE TO ASSIST WALKING

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RECEIVED
JUN 21 2004
GROUP 3600

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- ☒ 1. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, Notice of Allowance or other action that closes prosecution (e.g., Quayle Action).
- ☒ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(c)(1).
- ☒ 2. The references were cited in a counterpart foreign application. An English language version of the foreign Office Action is attached for the Examiner's information.

- ☒ 3. A concise explanation of the relevance of the non-English language reference(s) appears in the Appendix attached hereto.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

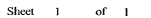
Thomas J. Pardini
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JAO:TJP/scg

Date: June 16, 2004

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APPLICATION NO.
09/869,883

(Use several sheets if necessary)

GROUP
3611

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

DATE CONSIDERED _____

Date: June 16, 2004

Appendix

Document Number	Publication Date	Brief Explanation or Page(s) & Line(s) of Related Part(s)
CN2289548Y	Sep. 2, 1998	A multi-function vehicle for assisting walking is disclosed. The vehicle comprises rear and front frames 1 and 2, a connecting frame 6, and wheels 4. A foldable seat 7 is mounted on an intermediate portion of connecting frame 6.
CN2261833Y	Sep. 10, 1997	A multi-function vehicle for assisting walking is disclosed. The vehicle comprises a handle 2, brake handles 4, a seat 7, rear wheels 9, front wheels 12, front frames 13, rear frames 14, and side frames 16. A bar 11 is mounted on seat 7. Seat 7 is adapted to pivot around a frame 15. When seat 7 pivots downwardly, bar 11 abuts against frames 16 and seat 7 is kept

Appendix

Document Number	Publication Date	Brief Explanation or Page(s) & Line(s) of Related Part(s)
		horizontal as shown in Fig. 1. On the other hand, when seat 7 pivots upwardly, it directs vertically.

Appendix

Document(s) cited in Form 1	Patent family member(s)	Publication date
-	U.S.P. 4,893,826	Jan. 16, '90

THE PATENT OFFICE OF THE PEOPLE'S REPUBLIC OF CHINA

Address: 6 Xi Tu Cheng Lu, Haidian, Beijing

Post Code: 100088

Applicant:	NIPPON CLEAN ENGINE RESEARCH INSTITUTE CO. LTD.	Date of Notification: Date: 26 Month: 03 Year: 2004
Attorney:	ZHANG HUIHUA	
Application No.:	00801068.4	
Title of the Invention:	步行補助車	

Notification of the First Office Action (PCT Application in the National Phase)

1. ☒ The applicant requested examination as to substance and examination has been carried out on the above-identified patent application for invention under Article 35(1) of the Patent Law of the People's Republic of China (hereinafter referred to as "the Patent Law").
 - ☐ The Chinese Patent Office has decided to examine the application on its own initiative under Article 35(2) of the Patent Law.

2. ☒ The applicant claimed priority/priorities based on the application(s):

filed in JP	on Nov. 13, 1999	, filed in _____	on _____
filed in JP	on Jan. 13, 2000	, filed in _____	on _____

3. ☐ The following amendments submitted by the applicant are not acceptable under Art. 33 of the Patent Law:
 - ☐ The Chinese translation of the amendments annexed to the IPEA Report.
 - ☐ The Chinese translation of the amendments made under Art. 19 of PCT.
 - ☐ The amendments made under Art. 28 or Art. 41 of PCT.
 - ☐ The amendments made under Rule 51 of the Implementing Regulations of the Patent Law.

Specific reasons why the amendments are not acceptable are set forth in the text portion of this Notification.

4. ☒ Examination was directed to the Chinese translation of the International Application as originally filed.
 - ☐ Examination was directed to the application documents as specified below:
 - ☐ Description ☐ Pages _____ of the Chinese translation of the International Application as originally filed.
 - ☐ Pages _____ of the Chinese translation of the amendments annexed to the IPEA Report.
 - ☐ Pages _____ of the amendments made under Art. 28 or Art. 41 of PCT.
 - ☐ Pages _____ of the amendments made under Rule 51 of the Implementing Regulations of the Patent Law.
 - ☐ Claims ☐ The Chinese translation of claims _____ of the International Application as originally filed.
 - ☐ The Chinese translation of claims _____ of the amendments made under Art. 19 of PCT.
 - ☐ The Chinese translation of claims _____ of the amendments annexed to the IPEA Report.
 - ☐ The Chinese translation of claims _____ of the amendments made under Art. 28 or Art. 41 of PCT.
 - ☐ The amendments of the claims _____ made under Rule 51 of the Implementing Regulations of the Patent Law.
 - ☐ Drawings ☐ Pages _____ of the Chinese translation of the International Application as originally filed.
 - ☐ Pages _____ of the Chinese translation of the amendments annexed to the IPEA Report.
 - ☐ Pages _____ of the amendments made under Art. 28 or Art. 41 of PCT.
 - ☐ Pages _____ of the amendments made under Rule 51 of the Implementing Regulations of the Patent Law.

5. ☒ Below is/are the reference(s) cited in this Office Action (the reference number(s) will be used throughout the examination procedure):

No.	Number(s) or Title(s) of Reference(s)	Date of Publication (or the filing date of conflicting application)
		Date: <u>10</u> Month: <u>07</u> Year: <u>1998</u>
1	CN2289543Y	Date: <u>16</u> Month: <u>01</u> Year: <u>1990</u>
2	US4893826A	Date: <u>16</u> Month: <u>03</u> Year: <u>1999</u>
3	JP1107146A	Date: <u>10</u> Month: <u>09</u> Year: <u>1997</u>
4	CN2261833Y	Date: <u> </u> Month: <u> </u> Year: <u> </u>
5		Date: <u> </u> Month: <u> </u> Year: <u> </u>

6. Conclusions of the Action:

- ☐ On the Specification:
- ☐ The subject matter contained in the application is not patentable under Article 5 of the Patent Law.
 - ☐ The description does not comply with Article 26 paragraph 3 of the Patent Law.
 - ☐ The draft of the description does not comply with Rule 18 of the Implementing Regulations.
- ☒ On the Claims:
- ☐ Claim(s) is/are not patentable under Article 25 of the Patent Law.
 - ☐ Claim(s) does/do not comply with the definition of inventions prescribed by Rule 2 paragraph 1 of the Implementing Regulations.
 - ☐ Claim(s) does/do not possess the novelty as required by Article 22 paragraph 2 of the Patent Law.
 - ☒ Claim(s) 1-2 does/do not possess the inventiveness as required by Article 22 paragraph 3 of the Patent Law.
 - ☐ Claim(s) does/do not possess the practical applicability as required by Article 22 paragraph 4 of the Patent Law.
 - ☐ Claim(s) does/do not comply with Article 26 paragraph 4 of the Patent Law.
 - ☐ Claim(s) does/do not comply with Article 31 paragraph 1 of the Patent Law.
 - ☐ Claim(s) does/do not comply with the provisions of Rules 20-23 of the Implementing Regulations.
 - ☐ Claim(s) does/do not comply with Article 9 of the Patent Law.
 - ☐ Claim(s) does/do not comply with the provisions of Rule 12 paragraph 1 of the Implementing Regulations.

The explanations to the above conclusions are set forth in the text portion of this Notification.

7. In view of the conclusions set forth above, the Examiner is of the opinion that:

- ☐ The applicant should make amendments as directed in the text portion of the Notification.
- ☒ The applicant should expound in the response reasons why the application is patentable and make amendments to the application where there are deficiencies as pointed out in the text portion of the Notification, otherwise, the application will not be allowed.
- ☐ The application contains no allowable invention, and therefore, if the applicant fails to submit sufficient reasons to prove that the application does have merits, it will be rejected.

8. The followings should be taken into consideration by the applicant in making the response:

- (1) Under Article 37 of the Patent Law, the applicant should respond to the office action within 4 months counting from the date of receipt of the Notification. If, without any justified reason, the time limit is not met, the application shall be deemed to have been withdrawn.
- (2) Any amendments to the application should be in conformity with the provisions of Article 33 of the Patent Law. Substitution pages should be in duplicate and the format of the substitution should be in conformity with the relevant provision contained in "The Examination Guidelines".
- (3) The response to the Notification and/or revision of the application should be mailed to or handed over to the "Reception Division" of the Patent Office, and documents not mailed or handed over to the Reception Divisions have no legal effect.
- (4) Without an appointment, the applicant and/or his agent shall not interview with the Examiner in the Patent Office.

9. This Notification contains a text portion of 3 pages and the following attachments:

- ☒ 4 cited reference(s), totaling 26 pages. ☐

Examination Dept. 5 Examiner: 5165 Seal of the Examination Department